

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MONIQUE SYKES, et al.,

Plaintiffs,

- against -

MEL S. HARRIS AND ASSOCIATES LLC,
MEL S. HARRIS, MICHAEL YOUNG, DAVID
WALDMAN, KERRY LUTZ, TODD FABACHER,
MEL HARRIS JOHN/JANE DOES 1-20,
LEUCADIA NATIONAL CORPORATION,
L-CREDIT, LLC, LR CREDIT, LLC, LR CREDIT 10,
LLC, LR CREDIT 12, LLC, LR CREDIT 14, LLC,
LR CREDIT 18, LLC, LR CREDIT 19, LLC,
JOSEPH A. ORLANDO, PHILIP M. CANNELLA,
LR CREDIT JOHN/JANE DOES 1-20,
SAMSERV, INC., WILLIAM MLOTOK,
BENJAMIN LAMB, MICHAEL MOSQUERA,
JOHN ANDINO, AND
SAMSERV JOHN/JANE DOES 1-20,

Defendants.
-----X

STATE OF NEW YORK)
) SS:
COUNTY OF WESTCHESTER)

ECF Case
No. 09 Civ. 8486 (DC)

**AFFIDAVIT IN
SUPPORT OF
MOTION TO
QUASH
SUBPOEAS**

Jordan Sklar, being duly sworn, deposes and says:

1. I am a member of the firm of Babchik & Young, attorneys for defendants SAMSERV, INC.; WILLIAM MLOTOK; BENJAMIN LAMB; MICHAEL MOSQUERA; and JOHN ANDINO (the "Samserv Defendants"), in the above captioned actions. As such, I am fully familiar with the facts set forth herein.

I submit this affidavit to place the following relevant documents before this Court as part of the Samserv defendants' motion to quash the non-party subpoena served upon current and former independent contractors utilized by Samserv, Inc., as well as such other, further and different relief as the Court deems just and proper:

- A. Non-party subpoenas dated August 24, 2011.
- B. Third amended complaint.
- C. Title 6 of the Rules of the City of New York § 2-233 for the period prior to February 23, 2011.
- D. Title 6 of the Rules of the City of New York § 2-233 for the period of February 23, 2011 to July 13, 2011.
- E. Title 6 of the Rules of the City of New York § 2-233 as of July 13, 2011.

Dated: White Plains, New York

BABCHIK & YOUNG, LLP


By:



Jordan Sklar

Attorneys for the Samserv Defendants
200 East Post Road, 2nd Floor
White Plains, New York 10601
(914) 470-0001

Sworn to before me
this 14th day of September, 2011.


Notary Public

AVA J. CROCKETT
Notary Public, State of New York
No. 01CR0177044
Qualified in Westchester County
Commission Expires 11/03/2011